

ITEM: 9

SUBJECT: Conditional Waivers of Waste Discharge Requirements for Discharges From Irrigated Lands

BOARD ACTION *Consideration of Adoption of Conditional Waivers*

BACKGROUND On 11 July 2003, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) adopted Resolution No. R5-2003-0105, *Conditional Waivers of Waste Discharge Requirements for Discharges From Irrigated Lands Within the Central Valley Region* (Conditional Waivers) and associated Monitoring and Reporting Programs (MRPs). In August 2003, six agricultural interests and one environmental interest submitted petitions to the State Water Resources Control Board (State Water Board) regarding the Conditional Waivers and MRPs. On 22 January 2004, the State Water Board adopted Order WQO 2004-0003, which upheld the Conditional Waivers and MRPs with minor revisions. The Conditional Waivers expire on 31 December 2005.

In April 2005, staff began outreach efforts by holding meetings and public workshops and participating in site tours to obtain feedback on how the Program has worked and what modifications should be considered. Staff evaluated this feedback; the analytical results from the Phase I and II UC Davis sampling and the monitoring conducted by Coalition Groups, Individual Dischargers, and Water Districts; the Irrigated Lands Programs in other Regions; and the State Water Board's NonPoint Source Policy in an effort to improve the Conditional Waivers and MRPs. On 5 October 2005, staff circulated for a 30-day public comment period Tentative Renewal Documents consisting of Orders, Attachment A and Attachment B for Coalition Groups and Individual Dischargers and 3 MRPs for Coalition Groups, Individual Dischargers, and Water Districts enrolled as Individual Dischargers.

The comment period ended on 4 November 2005, and based on the complexity of the issues related to the MRPs, staff decided not to propose that the Board revise or adopt new MRPs at this time. Staff will work with the Technical Issues Committee to resolve these issues and develop appropriate language to include in the MRPs.

The Proposed Orders for the Board's consideration include the Coalition Group Order, Individual Discharger Order, and their respective Attachments A and B. The Proposed Orders contain the following major changes from the 2003 Conditional Waivers; these changes are discussed in detail in the staff report: 1) Coalition Groups required to maintain, revise and submit Membership Lists annually and on EO request; 2) Coalition Groups required to develop, maintain and implement Water Quality Plan(s) for water bodies and/or areas of water quality concern, as defined; 3) Table of Receiving Water Limits in Attachment A lists limits based on water quality objectives in the Basin Plans; 4) Coalition Group Order term runs from 1 January 2006 to 31 December 2010; and 5) Individual Discharger Order term runs from 1 January 2006 to 31 December 2008.

Mgmt. Review

Legal Review

28 November 2005

Central Valley Regional Water Quality Control Board
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